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1645

PTO/SB/21 (08-03)

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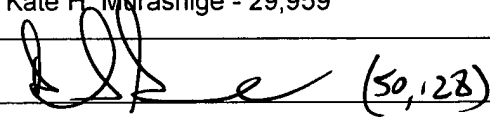
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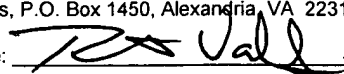
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/935,430
		Filing Date	August 22, 2001
		First Named Inventor	Mary FARIS
		Art Unit	1645
		Examiner Name	Alana M. Harris, Ph.D.
Total Number of Pages in This Submission	5	Attorney Docket Number	511582005000

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ENCLOSURES (Check all that apply)		
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<div>Remarks</div> CUSTOMER NO. 25225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Kate H. Murashige - 29,959
Signature	 (50,128)
Date	November 17, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: 11/17/03	Signature:  (Ruthie Vallejo)

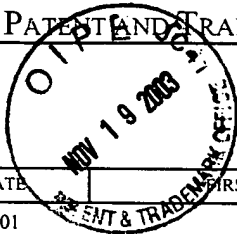


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,430	08/22/2001	Mary Faris	511582005000	9082

36327 7590 10/15/2003

AGENSYS C/O MORRISON & FOERSTER LLP
3811 VALLEY CENTRE DRIVE, SUITE 500
SAN DIEGO, CA 92130

EXAMINER

HARRIS, ALANA M

ART UNIT	PAPER NUMBER
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1642

DOCKETED: SEQ. DATA DUE

DATE MAILED: 10/15/2003

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DUE DATE: 11/15/2003

FINAL DUE DATE: 4/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER	
Alana M. Harris, Ph.D.	
ART UNIT	PAPER NUMBER
1642	15

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825.

Applicants have elected Group XIII corresponding to claims 19, 21-24 and 67 that contain reference to a protein sequence. However, the protein has not been identified by SEQ ID number. Accordingly, it follows that the application is not compliant with sequence rules, see MPEP § 2421.02. The response filed August 12, 2003 as Paper number 14 will be held in abeyance until Applicants comply with the requirements of the sequence rules. Claim amendments inclusive of SEQ ID numbers should be fully supported by the specification and not representative of new matter. Applicants' attention is also directed to C.F. R. 1.121, Manner of Making Amendments.

2. Any inquiry concerning this communication should be directed to Examiner Alana M. Harris, Art Unit 1642, whose telephone number is (703)306-5880.
3. Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed:
For Rules Interpretation, call (703)308-4216;
For CRF Submission Help, call (703)308-4212; and /or
For PatentIn software help, call (703)308-6856.
4. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Alana M. Harris
Alana M. Harris, Ph.D.

ALANA M. HARRIS, PH.D.

PRIMARY EXAMINER

10/6/2003